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SUBJECT: VOTING INSTRUCTION: JOIN CONSENSUS AND DELIVER EXPLANATION OF POSITION ON UNITED NATIONS GENERAL ASSEMBLY RESOLUTION &GUIDELINES FOR THE ALTERNATIVE CARE OF CHILDREN8

REF: PHIPPS-DEPARTMENT EMAIL (11/11/09 AT 6:32PM)

¶1. The Department authorizes USDEL to join consensus on the resolution entitled &Guidelines for the Alternative Care of Children8 based on the text of the resolution provided in reftel.

¶2. USDEL is further instructed to deliver the following explanation of position:

The United States is committed to protecting the well-being and rights of children worldwide and we believe strongly in creating healthy, supportive, and safe environments for children to thrive and grow. We commend the Government of Brazil and others for undertaking this positive initiative to underscore the well-being of children worldwide, particularly those who are vulnerable and in need of care.

We remain concerned, however, about the overbroad scope of the Guidelines. In the United States, different aspects of the care of unaccompanied children are formulated locally and different approaches are used to ensure the well-being of unaccompanied children. We would like to underscore that the purpose and nature of the Guidelines, as stated therein, is to set out desirable orientations for policy and practice. Our understanding, as was stated in consultations, is that these Guidelines are not obligatory or binding upon States, but rather reflect useful recommendations states may use as they develop domestic policy affecting children without parental care.

We welcome the spirit embodied in the Guidelines for the Alternative Care of Children and believe that the Guidelines offer useful policy orientations for the protection of children without parental care. We recognize how difficult, but important, this effort is and fully support the goals of the Guidelines.

CLINTON